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January 22, 2022

Via ECF

Hon. Thomas J. McAvoy
Senior U.S. District Judge
Federal Building & U.S Courthouse
15 Henry Street
Binghamton, NY 13901

Re: United States v. Delaney
1:20-CR-000335-TJM
Letter Request to Adjourn Sentencing

Dear Judge McAvoy:

I represent the Defendant, Jacob Delaney and the above matter and write to request that the Jacob's February 15th sentencing be adjourned approximately 60 days and the deadline for sentencing memorandums be extended until two weeks before the new sentencing date. I conferred with AUSA Richard Bellis regarding the requested sentencing adjournment, and he does not oppose the request.

There are two reasons for the requested delay. First, prudence suggests not sending another individual into the Bureaus of Prisons (BOP) while the Omicron COVID-19 variant is running rampant through BOP facilities. Presently, the BOP reports 8,074 inmates and 1,642 staff who have confirmed positive test results for COVID-19. Since the outset of the pandemic, 45,556 inmates and 9,402 have tested positive and 242 inmates and 7 staff have confirmed deaths attributed to COVID-19. (see <https://www.bop.gov/coronavirus/> last visited Jan. 26, 2022 at 2:40 PM). We hope this brief delay in sentencing will reduce the risk of transmission without unduly delaying sentencing as the omicron variant hopefully begins to subside.

Second, the Government has recently advised the defense of a series of restitution requests from the counsel of identifiable victims. I have attempted to contact victims' counsel by phone and email to discuss potential resolutions to their restitution demands but have not received a response. If the adjournment is granted, I will continue to pursue that issue with the hope of relieving the court from having to resolve the restitution demands.

Thank you for your attention to this request.

Respectfully,

Iseman PLLC

By:

A handwritten signature in black ink, appearing to read "S. Iseman", written over a horizontal line.

Scott Iseman
Attorney

cc: All parties (ECF)